

Chairman Tim Schram called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Frank Landis, Tim Schram, and Gerald Vap present, and Commissioners Anne Boyle and Rod Johnson excused. Chairman Schram invited the public to address the Commission and announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room. Chairman Schram informed the public that the next Commission meeting will be held on November 2.

GENERAL ADMINISTRATION

Notice was duly published October 18, 2011 on Page 3 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on October 25, 2011 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Monday, October 31, 2011:

NUSF-77 Commission Hearing Room, Lincoln. Commissioner Frank Landis
P.O. 4 presiding as Hearing Officer.
10:00 In the Matter of the Petition of the Nebraska Telecommuni-
 cations Association for investigation and review of pro-
 cesses and procedures regarding the NUSF.

COMMUNICATIONS DEPARTMENT

C-4408 In the Matter of the Application of Business Telecom, Inc.,
 Grand Rapids, Michigan, seeking authority to add a trade
name of EarthLink Business III: Motion made by Commissioner Jerry Vap,
seconded by Commissioner Frank Landis, to enter an order granting the
application. Motion passed with Commissioners Frank Landis, Tim
Schram, and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod
Johnson excused not voting.

Commissioners Anne Boyle and Rod Johnson entered the Commission Hearing Room.

CG Docket 11-116 In the Matter of Empowering Consumers to Prevent and Detect
CG Docket 09-158 Billing for Unauthorized Charges ("Cramming"), Consumer
CC Docket 98-170 Information and Disclosure, Truth-in-Billing and Billing
 Format: Motion made by Commissioner Frank Landis, seconded
 by Commissioner Jerry Vap, to ratify the comments filed on
 October 24, 2011. Motion passed with Commissioners Rod
 Johnson, Frank Landis, Tim Schram, and Jerry Vap voting
 AYE, and Commissioner Anne Boyle present not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4409 In the Matter of the Application of Qwest Corporation, Denver, Colorado, seeking approval of a Single Point of Presence (SPOP) in the LATA Amendment to the Interconnection Agreement with Broadvox-CLEC, LLC, Cleveland, Ohio, previously approved in Docket C-4369: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter orders granting applications E-2296, E-2297, and E-2300. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

E-2296 In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain electric transmission lines in Lancaster County.

E-2297 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Dakota County.

John Burvainis discussed the Broadband Mapping/Planning Grant.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska 258 Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Credit Union Wireless, Respondent(s): Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0061 In the Matter of Black Hills/Nebraska Gas Utility Company, HS-0036 LLC, d/b/a Black Hills Energy, Omaha, seeking a General Rate Increase for Black Hills Energy's Rate Areas One, Two, and Three: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter Assessment Order No. HS-0036. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

RULES AND REGULATION

Rule and In the Matter of the Commission, on its own motion, seeking Regulation to amend Title 291, Chapter 14, Recreational Vehicles Rules #180 and Regulations, to adopt the 2011 and 2009 editions of applicable code books, update related provisions, update definitional sections, update procedures regarding seal issuance, inspections and plan review, general language clean up and delete certain forms. Commissioner Tim Schram presiding as Hearing Officer: The Commission was informed that the rules have been signed by the Governor, recorded with the Secretary of State, and became effective October 23, 2011.

TRANSPORTATION DEPARTMENT

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F and Tariff 22: The Tariff 7F fuel surcharge was increased to \$1.10 per mile and the Tariff 22 fuel surcharge to \$7.32 per truck per trip.

GENERAL ADMINISTRATION

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Attorney General	\$	2,722.00
Sprint		59,041.74
Rod Johnson		1,142.76
Gerald Vap		1,193.30

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve Gene Hand to serve as a member of the Staff Subcommittee on Education and Research for the National Association of Regulatory Utility Commissioners (NARUC). Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to submit an agency budget deficit request for the 2012-2013 fiscal year. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

The meeting adjourned at 10:25 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Gerald Vap present. The next regularly scheduled meeting will be held on November 2, 2011, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on November 1, 2011.

Chairman

Executive Director